

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARK E. VAN SCOY AND

ALBERT K. KWAN

v.

Civil Action No.

BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS AND EXPLOSIVES

**COMPLAINT**

**Jurisdiction**

1. This Court has jurisdiction of this matter pursuant to 18 U.S.C. §923(f)(3).
2. Plaintiffs Mark E. Van Scoy and Albert K. Kwan are a partnership trading under the name "Historic Research" at address 103040 NE 10<sup>th</sup> Street, Bellevue, Washington 98005.
3. Defendant Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter ATF) is a

Complaint

*Mark E. Van Scoy &  
Albert K. Kwan v. Bureau  
of Alcohol, Tobacco,  
Firearms and Explosives*

Case No.  
COMPLAINT.wpd

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federal agency involved in the regulation of the sale and purchase of firearms.

### Facts

4. On March 22, 2016, the ATF denied the plaintiff's application for a Federal Firearms License (hereinafter FFL) because Albert K. Kwan had "willfully violated the provisions of the [Gun Control Act]." (18 U.S.C. §923(d)(1)(C) and 27 C.F.R. §478.47(b)(3). Plaintiffs appeal the decision pursuant to 18 U.S.C. §923(f)(3).
5. On May 1, 2015, the plaintiffs filed an Application for Firearms License (ATF E Form 7, dated April 14, 2015 pursuant to the Gun Control Act (hereinafter GCA).
6. On December 8, 2015 the Director, Industry Operations, Seattle Field Division, issued a Notice to Deny Application for License. Plaintiffs timely submitted a request for a hearing.
7. A hearing was held on February 24, 2016, at the ATF Seattle Field Division office.
8. On March 22, 2016, the denied the application.
9. Plaintiff respectfully requests, pursuant to 18 U.S.C. §923(f)(3), a *de novo* review by this court of the determination referenced in paragraph 8 of this complaint, plus such other relief that the plaintiffs may be entitled to.

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**DEFENDANT WILL BE SERVED VIA CERTIFIED MAIL:**

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